

2011 Tippecanoe County Prosecutor's Office in the News

April 21, 2011: Lafayette Journal and Courier

Muffler shop owner with gang ties gets 22 years

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man with admitted gang affiliations was sentenced Wednesday to 22 years in prison for selling cocaine to an undercover police officer.

Pio Avalos Jr., 30, pleaded guilty in January in Tippecanoe Superior Court 1 to two counts of dealing cocaine, a Class A felony. This occurred just three days before he was scheduled to stand trial.

Avalos' prison time will be followed by two years on community corrections -- some combination of work release, home detention and day reporting -- and eight years on probation.

Tippecanoe County Prosecutor Pat Harrington said Avalos admitted to investigators that he was the "adviser" to the "Inca" of the Latin Kings in Tippecanoe County.

The Inca is the person who heads a Latin Kings gang in a certain region, Harrington said. The adviser is second-in-command.

The charges against Avalos stemmed from an investigation by the Tippecanoe County Drug Task Force. He was accused of selling cocaine on two occasions in August and September 2009.

The 22 grams of cocaine had a street value of about \$1,200.

Harrington said Avalos owned a muffler shop on Teal Road near Sequoya Drive.

Avalos' criminal history includes a conviction as a juvenile in 1995 for murder in Cook County, Ill.

A native of Chicago, he moved to Lafayette seven years ago, Harrington said.

Avalos' co-defendant, Rosenberg Pineda, 22, pleaded guilty to similar counts last month and is scheduled to be sentenced May 12

April 21, 2011: Lafayette Journal and Courier

Charges say man attacked woman, then was stabbed

By SOPHIA VORAVONG; svoravong@jconline.com

Criminal charges have been filed against a Tippecanoe County man accused of assaulting a woman who then stabbed him repeatedly with a screwdriver to break away.

Michael E. Fultz, 36, of Buck Creek, was charged this week in Tippecanoe Superior Court 2 with battery resulting in bodily injury, criminal confinement and strangulation. All three counts are felonies.

The charges stem from an incident on Aug. 22 at Modernaire Mobile Home Park off Indiana 25 North. Sheriff's deputies were responding to a possible domestic disturbance when they found Fultz, who was standing outside his trailer holding his abdomen.

A large amount of blood covered his abdomen, and Fultz told the deputies that he had been stabbed.

Sheriff Tracy Brown said Fultz was treated for numerous injuries to his midsection. He was arrested on Aug. 22, but someone posted his bond while Fultz was still being treated at a Lafayette hospital.

An arrest warrant was issued Tuesday with the new charges. Fultz is scheduled to appear before Magistrate Norris Wang on May 6 for his initial hearing.

A home telephone listing in Buck Creek could not be found to reach Fultz for comment.

According to a probable cause affidavit filed with the charges, investigators suspect that the woman who stabbed Fultz did so in self-defense.

The woman told investigators that she willingly had gone to Fultz's trailer that evening. She said she fell asleep on the couch and woke up to find Fultz on top of her.

The woman claimed that Fultz locked the front door and would not let her leave, then attacked her.

She had a swollen, bloody eye and was bleeding from her nose and mouth when sheriff's deputies arrived. The woman was treated at St. Elizabeth East hospital for fractures to her nose and fibula.

April 21, 2011: Lafayette Journal and Courier

Aiyana's biological mom sentenced for child battery

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette woman was sentenced Wednesday to a year on home detention and two years on supervised probation for hitting her 13-year-old daughter.

Cassandra B. Davis, 33, pleaded guilty last month in Tippecanoe Superior Court 2 to battery on a child resulting in serious bodily injury, a Class D felony; residential entry, a Class D felony; and invasion of privacy, a Class A misdemeanor.

Davis, who formerly went by her maiden name, Cassandra Robinson, is the biological mother of Aiyana Gauvin, a 4-year-old Lafayette girl who died in March 2005 following months of abuse by her stepmother, Michelle Gauvin, and biological father, Christian Gauvin.

The victim in the battery case against Davis is Aiyana's older sister.

During Wednesday's sentencing hearing, Davis said she was remorseful and said she had not been taking her medication at the time.

As part of her sentence, Davis must comply with recommendations made by her counselors at Wabash Valley.

The charges against her stemmed from a 911 call last June from her father's home on Lafayette's north end.

According to court documents, Davis' daughter had been visiting her grandfather when Davis and her husband showed up. The 13-year-old, who answered the door, claimed her mother pushed her aside to get into the home.

The girl also told a police officer that her mother struck her leg and jaw with an open hand after the girl would not let Davis use her cell phone.

She had minor injuries consistent with those allegations, including red marks on her right leg and a red mark and scratch on her chest.

Michelle Gauvin is serving life in prison for murdering Aiyana. Christian Gauvin, who had custody of the girl, is

serving a 50-year sentence for fatal neglect.

March 18, 2011: WLFI TV

Men charged for drug possession Allegedly lied to police about their identities

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - Two Tippecanoe County men face felony charges for allegedly possessing drugs and lying to police.

25-year-old Jorge Cacahua and 19-year-old Salvadore Sanchez were each charged with felony possession of cocaine and misdemeanor false informing Monday in Tippecanoe Superior Court II. Sanchez faces an additional misdemeanor charge of operating a vehicle while never receiving a license.

According to court documents, the men were pulled over for not signaling a turn. When police asked for their information, they allegedly gave the officers the wrong names and birth dates.

The documents say a police K-9 alerted officers to the men's car, and police found a baggie of cocaine in the trunk

March 15, 2011: WLFI TV

Man sentenced for July burglary Faces 23 years in prison

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A man will spend more than a decade in prison for breaking into a Lafayette home.

According to Tippecanoe County Prosecutor Pat Harrington, 41-year-old Christopher Lozano was sentenced Friday to 23 years in prison, followed by one year in community corrections and one year on probation.

Harrington said Lozano was arrested last July, after neighbors noticed a door open on a home. Lafayette police found Lozano inside. He later plead guilty to burglary.

Harrington said Lozano also received a sentencing enhancement for being a habitual offender. He said Lozano has two prior burglary convictions out of Texas, a child molesting conviction from Clinton County in 1993, and convictions of theft and battery in Tippecanoe County.

April 13, 2011: Lafayette Journal and Courier

Charges filed in fatal crash on Kossuth Street

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man accused of running from a one-vehicle crash last Friday that killed his passenger had both

alcohol and controlled substances in his blood, court documents allege.

Bradley J. Siefert, 33, was charged today in Tippecanoe Superior Court 2 with leaving the scene of an accident after committing operating while intoxicated causing serious bodily injury; leaving the scene of an accident involving death; operating a vehicle while intoxicated causing death; and operating a vehicle with at least 0.08 percent grams of alcohol causing death.

Those four counts are felonies.

Siefert also was charged with misdemeanor counts of operating while intoxicated and operating a vehicle with at least 0.15 grams of alcohol.

He was being held Wednesday afternoon in the Tippecanoe County Jail without bond.

Siefert is believed to be the driver of a 1993 Ford Explorer that struck a utility pole on Kossuth Street near Park Avenue about 4:20 a.m. Friday. The vehicle's passenger side door had to be cut to remove Kathleen E. Altepeter, 39, who died shortly after from her injuries.

Altepeter was sitting in the front passenger seat, said Officer Matt Devine of the Lafayette Police Department.

According to a probable cause affidavit, the Explorer belonged to Siefert's parents, who live in the 1100 block of Kossuth Street, not far from the crash scene.

Siefert was found there.

He allegedly denied being the driver, instead claiming to being the passenger and hitting his head on the steering wheel.

But his wallet — and identification card — was found on top of a console near the driver's seat.

He's further accused of telling his parents not to call police about the crash, according to information Siefert's stepfather told a detective.

Siefert was taken to St. Elizabeth Central hospital for treatment for his head injury. There, a blood test showed that he had a blood-alcohol concentration of 0.22 percent, nearly three times Indiana's legal limit of 0.08 percent.

The blood test also showed that Siefert had some type of controlled substance in his system. A second sample of his blood and urine were taken, but those results are pending.

Lafayette police Sgt. Max Smith said Siefert and Altepeter were headed that morning to someone's home on Kossuth Street. He did not have information on where they had been beforehand.

April 13, 2011: Lafayette Journal and Courier

Purdue graduate charged with forging loan papers

By SOPHIA VORAVONG; svoravong@jconline.com

A Battle Ground woman used her grandmother's information without permission to co-sign \$250,000 in student loans, court documents allege.

Sharla A. Gott, 41, was charged last week in Tippecanoe Superior Court 2 with seven counts of forgery and one count each of identity deception and counterfeiting.

All nine counts are felonies.

Detective Dan Shumaker of the Lafayette Police Department said Gott turned herself in to the Tippecanoe County Jail on Monday. She was released after posting a \$10,000 surety bond.

The allegations against Gott date back to May 2006.

Investigators were first contacted in September 2009 by the victim's sons.

Shumaker said it took a long time to compile all necessary documents, including paperwork from the loan company, which explains why charges were filed only recently.

A home telephone listing in Battle Ground for Gott was disconnected as of Tuesday afternoon.

According to a probable cause affidavit, Gott's grandmother had agreed to co-sign two education loans for Gott -- providing her Social Security number and retirement fund information -- in 2004 or 2005.

The grandmother began repaying the loans in 2009. She became suspicious when the monthly payments rose from \$219 to \$1,265. That's when her son called the loan companies and learned that the grandmother was listed as co-signing 13 loans totaling \$300,000.

Gott is accused of forging her grandmother's signature on paperwork for 11 loans.

Shumaker said the fraudulent portion amounted to \$250,000. He said the loans are believed to have been related to Gott's education.

Journal & Courier archives show that Gott received an associate degree from Purdue University in spring 2009.

According to the Purdue University Data Digest, the estimated annual cost of attending Purdue for two years in 2007-08 and 2008-09, including living expenses, tuition and books, was \$36,786 for Indiana residents.

April 12, 2011: Lafayette Journal and Courier

Escape to roof after traffic stop leads to meth charges

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man is accused of climbing onto the roof of a home to avoid being arrested for possessing methamphetamine, court documents allege.

Jacob M. Parker, 24, was charged Monday in Tippecanoe Circuit Court for possession of methamphetamine, a Class C felony, and resisting law enforcement, a Class A misdemeanor.

He also was charged with being a habitual offender.

The charges stem from a traffic stop early Friday on Veterans Memorial Parkway South and South 18th Street. Parker was pulled over for allegedly going 45 mph in a 35 mph zone.

According to court documents, Parker was asked to step out of his vehicle after a Lafayette police officer saw a plastic bag in Parker's left pocket.

Parker obliged but tossed the bag in his vehicle's backseat, then allegedly ran.

Officers later found him on top of a roof in the 3600 block of Sunnyview Drive, about a quarter-mile away. Firefighters had to be called because Parker reportedly lied down and grabbed onto the roof's edge to avoid

being handcuffed.

Parker does not live at that address.

The bag in Parker's pocket allegedly contained 3.66 grams of methamphetamine.

Parker was being held Monday afternoon in the Tippecanoe County Jail on a \$15,000 cash and surety bond.

April 12, 2011: Lafayette Journal and Courier

Contractor who bailed on projects sentenced

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man will spend time behind bars for not completing -- and in some instances, never starting -- home improvement projects contracted by five Tippecanoe County property owners, despite being paid.

Raymond E. Luebcke, 58, was sentenced Monday in Tippecanoe Superior Court 1 to one year in prison and one year on community corrections. He pleaded guilty in January to corrupt business influence, a Class C felony.

Luebcke told Judge Randy Williams that he did not have bad intentions and was sidelined by several health issues that required hospitalization. They included having water drained from around his heart and getting a pacemaker.

As for why Luebcke never contacted the people whom he promised to do renovations: "A lot of it had to do with pride," he said. "I was going to make it work, hell or high water."

The charge against Luebcke stemmed from investigations by Tippecanoe County and Lafayette police for reports of home improvement fraud between July 2007 and December 2009.

At the time, Luebcke ran a construction business called Lester and Luebcke Home Improvement.

According to court documents, all five victims had given Luebcke money representing about one-half of the total cost of what he was supposed to complete.

One of the victims gave Luebcke a combined \$32,000 for extensive work, including repairing or replacing siding, the roof and windows at a Colburn home.

Another victim, Ila Solomon, testified Monday to giving Luebcke a \$5,725 down payment to redo the bathroom in one of her rental units in Lafayette. A subcontractor brought a Dumpster but did no actual work.

That caused her to lose about half her income.

"It's just been a disaster, a total disaster," said Solomon, who has known Luebcke since childhood.

Luebcke pleaded for a sentence that avoided jail or prison time so that he could continue searching for a job and begin paying restitution.

Tippecanoe County Deputy Prosecutor John Schafer was conflicted on a sentencing recommendation -- noting that the victims deserved to be repaid but that Luebcke's actions deserved punishment.

Both Schafer and Williams noted that Luebcke's criminal history, which includes convictions for theft deception and theft, is indicative of his character.

"There are lots of legitimate businessmen and contractors who get a bad name because of actions like yours,"

Williams said.

A hearing to determine how much Luebcke owes in restitution will be set at a later date.

According to preliminary numbers from Schafer, that could be about \$26,000.

Luebcke told the court that he is broke and hopes to receive money from the sale of his father's farm property near Crown Point. Williams told Luebcke to encourage his family to sell it for less than its current asking price of \$800,000, if necessary.

"Sometimes it takes a little push to get restitution paid," the judge said. "Sometimes it takes a little push to get child support paid. Maybe this is that push."

Luebcke's sentence also includes three years on supervised probation.

April 11, 2011: Lafayette Journal and Courier

Sneaking medication into jail nets community corrections sentence

By SOPHIA VORAVONG; svoravong@jconline.com

A Perrysville woman was sentenced today to 18 months on community corrections for sneaking prescription medication into the Tippecanoe County Jail last August when she was serving a 24-hour sentence for a drunken-driving conviction.

Cynthia S. Thomas, 53, pleaded guilty in February in Tippecanoe Superior Court 1 to being a habitual substance offender and to an amended count of trafficking with an inmate, a Class A misdemeanor.

The trafficking charge was originally a Class C felony.

According to court documents, Thomas was booked into the jail on Aug. 13 to serve a one-day sentence after pleading guilty in Tippecanoe Superior Court 6 to operating a vehicle while intoxicated.

Shortly after she was booked in, jail staff found a bag in Thomas' cell that contained 13 Alprazolam pills and two Trazadone pills.

Alprazolam is prescribed to treat anxiety disorders and panic attacks. Trazadone is commonly prescribed for depression and anxiety disorders. Thomas is accused of smuggling the bag between her toes.

She told jail officers that she feared the jail nurse would not allow her to take her medication.

April 8, 2011: Lafayette Journal and Courier

Man gets 3 years for hitting his kids

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man was sentenced today to three years in prison for hitting his two children with belts as punishment for misbehavior.

Gold Cortez Washington, 24, pleaded guilty last month in Tippecanoe Superior Court 1 to two counts of battery

on a child, a Class D felony.

According to Tippecanoe County Prosecutor Pat Harrington, during today's sentencing hearing, Washington said he loves his children and raised them how he was raised as a child.

Charges were filed against Washington after his 2-year-old daughter and 3-year-old son were found wandering outside and alone last September near Union and Thompson streets.

The Department of Child Services was contacted because the children were not able to say where they lived. Employees were changing the kids' clothing and diapers when a DCS case manager saw suspicious bruises and marks on their backs and legs.

Washington was also ordered today to serve one year on community corrections and six months on probation.

April 7, 2011: Lafayette Journal and Courier

Lafayette man faces possible 50 years for coke conviction

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man released from prison two years ago for a convenience store robbery faces a minimum of 50 more years behind bars after being convicted today in an unrelated drug case.

Michael T. Hackworth, 60, was found guilty of two counts of dealing cocaine, a Class A felony; one count of possession of cocaine, a Class B felony; one count of dealing a legend drug, a Class D felony; and resisting law enforcement, a Class A misdemeanor, following a three-day jury trial this week in Tippecanoe Superior Court 2.

Judge Thomas Busch then found Hackworth guilty of being a habitual offender - a non-suspendable enhancement that will account for 30 years of the sentence Hackworth receives.

He'll be sentenced at a later date.

The charge stems from an investigation last year by the Tippecanoe County Drug Task Force and multiple purchases they made of cocaine, Prosecutor Pat Harrington said.

Hackworth was arrested on Aug. 10.

Harrington said Hackworth's habitual offender status stems from convictions dating to 1975 in Cook County, Ill., where Hackworth used to reside.

They include convictions for burglary, armed robbery and possession of heroin with intent to deal.

Hackworth was convicted in 2004 in Tippecanoe County for a March 30, 2003, robbery at Village Pantry, 1008 S. Fourth St. He was sentenced to 12 years in prison, but the Indiana Department of Correction website shows that he was released in July 2009.

April 7, 2011: Lafayette Journal and Courier

Deportation likely after man serves 14 years

By SOPHIA VORAVONG; svoravong@jconline.com

Mexican national who was illegally living in Lafayette will likely be deported after serving a 14-year prison

sentence for dealing cocaine.

Pepe Avila, 36, pleaded guilty last month in Tippecanoe Superior Court 1 to the Class B felony. He was sentenced Tuesday by Judge Randy Williams.

Tippecanoe County Prosecutor Pat Harrington said U.S. Immigration and Customs Enforcement has placed a hold on Avila, meaning he should be sent back to Mexico after his release from the Indiana Department of Correction.

The charge against Avila stems from a phone call that Avila's ex-wife made to the West Lafayette Police Department last Oct. 11. The woman told officers that Avila took her vehicle, and she wanted it back.

That led officers to Qdoba Mexican Grill at 139 Northwestern Ave., near the Purdue University campus, where Avila was employed.

Harrington said another Qdoba employee told officers that Avila had recently removed a lunchbox from his ex-wife's vehicle. Found in that lunch box was a pound of marijuana, 22 grams of cocaine and more than \$2,100 in cash.

The cocaine had a street value of about \$2,000, Harrington said.

Avila was further accused of giving officers a false name -- Hector Garcia -- and presenting a Mexican identification card with that name.

Officers, however, noticed that he had "Pepe" tattooed across his knuckles, Harrington said.

At the time of the October arrest, Avila also had two outstanding arrest warrants, one from the Lafayette Police Department and the other from the Indianapolis Metropolitan Police Department.

April 5, 2011: Lafayette Journal and Courier

Conviction stands in 3-year-old's fatal injuries

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man's conviction will stand on accusations that he fatally injured his girlfriend's 3-year-old daughter when he tossed the toddler in the air, causing her to fall headfirst into a bathtub.

Thomas A. Dexter, 33, is serving a 55-year prison sentence in connection to the May 5, 2009, death of Kimberly "Kimmy" Snow.

He was found guilty of neglect of a dependent causing death, a Class A felony, and of being a habitual offender following a three-day jury trial in January 2010 in Tippecanoe Superior Court 2.

Dexter appealed the convictions, arguing that Judge Thomas Busch should not have allowed a doctor to testify that Kimmy's injuries were consistent with abusive head trauma.

The Indiana Court of Appeals, in a unanimous opinion issued last week, disagreed -- pointing out that the doctor never implicated Dexter as the person who caused Kimmy's injuries.

The higher court also disagreed with Dexter's claims that there was not enough evidence to prove that he "knowingly or intentionally" endangered Kimmy's life, which is a necessary element of Indiana's neglect statute.

According to court documents and testimony during Dexter's criminal trial, Dexter was Kimmy's primary caregiver on April 30, 2009. That morning, Dexter called 911 and told emergency responders that he found Kimmy

partially submerged in bathwater.

By evening, he gave investigators a different story -- claiming that he tried flipping Kimmy in the air, as he's done before, shortly after her bath. But this time, he was unable to catch her.

Kimmy died five days later from an intracranial hemorrhage due to blunt force trauma to her head.

March 30, 2011: WLFI TV

Police: Suspect hit neighbor with rock Man charged in alleged battery

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A Lafayette man has been charged with two felonies for allegedly forcing his way into his former neighbor's apartment and hitting him with a rock.

43-year-old Field Thompson, Jr. was charged in Tippecanoe Superior Court One Tuesday with battery with a deadly weapon and residential entry.

According to court documents, Thompson knocked on his former neighbor's door and rushed into the home.

The neighbor told police that Thompson hit him at least twice with a large rock, and accused him of breaking into Thompson's house, urinating under his sink and leaving dead roaches lying around.

The documents also say Thompson told police he was attacked by the other man's shadow earlier.

March 29, 2011: WLFI TV

Couple charged for meth crimes Allegedly made meth in home where minors lived

- Kristin Maiorano

WEST POINT, Ind. (WLFI) - A West Point couple faces several felony charges for allegedly making meth in their home where two juveniles live.

37-year-old Andrew Hilbun and 37-year-old Stacey Marie Sparger were each charged in Tippecanoe Superior Court Two Tuesday with seven felonies and one misdemeanor.

The charges include dealing in methamphetamine, possession of meth and neglect of a dependent.

According to court documents, in January, police tracked an informant who traded boxes of pseudo-ephedrine pills to Sparger in exchange for meth. When police contacted Sparger and Hilbun, they admitted to using and making the drug at their home in West Point.

March 24, 2011: Lafayette Journal and Courier

Driver pleads guilty in fiery crash that hurt 2

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man has admitted to causing a fiery, two-vehicle crash last summer in Battle Ground that seriously injured two women.

Jared W. Manny, 24, pleaded guilty Wednesday in Tippecanoe Superior Court 6 to two counts of operating a vehicle while intoxicated causing serious bodily injury and two counts of operating a vehicle while intoxicated while having a controlled substance in the body, causing serious bodily injury.

All of the counts are Class D felonies.

Manny is scheduled to be sentenced on May 11 by Superior Court 6 Judge Michael Morrissey.

The charges stem from a crash on June 28, 2010, on Indiana 43 North at Indiana 225 that injured 19-year-old Ashlee Roy and her passenger, 29-year-old Alisa Howe, both of Brookston.

Roy was stopped on Indiana 43, waiting to turn left onto Indiana 225, when her sport utility vehicle was rear-ended by a truck Manny was driving.

Her SUV then caught fire.

Both Roy and Howe were flown to the St. Joseph Regional Burn Center in Fort Wayne.

Howe was released a few weeks later. Roy remained hospitalized until November -- 148 days in Fort Wayne, then about one month in Lafayette. She suffered burns to more than 40 percent of her body, family members previously told the Journal & Courier.

Roy also suffered a collapsed lung and a bruised heart, and the crash killed her unborn child.

The judge on Wednesday entered convictions against Manny for the two counts of operating a vehicle with a controlled substance in the body. Each Class D felony is punishable by six months to three years incarceration.

March 22, 2011: Lafayette Journal and Courier

Village Pantry robber gets 18 years

A man with a criminal history dating back to 1973 was sentenced Monday to 18 years in prison for holding up a Lafayette convenience store and for being a habitual offender.

Edgar Boze, 51, of Niles, Mich., pleaded guilty in January in Tippecanoe Superior Court 2 to robbery, a Class C felony, theft, a Class D felony, and to being a habitual offender.

The habitual offense led to 12 years of Boze's 18-year sentence.

The charges against him stem from a robbery at Village Pantry, 1920 Main St., on Nov. 30, 2009. Boze was arrested in July 2010.

Tippecanoe County Prosecutor Pat Harrington said Boze has 21 prior misdemeanor convictions and eight prior felony convictions -- among them, one for an attempted murder in 1983 in Porter County.

March 22, 2011: Lafayette Journal and Courier

Sentence upheld in fatal stabbing

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man's conviction and 60-year prison sentence will stand for the fatal stabbing and beating of his best friend on Dec. 26, 2008.

Jeremy D. Knoy, now 27, was found guilty last year of murdering 26-year-old Derek J. Liphard following a four-day jury trial in Tippecanoe Superior Court 1. The sentence handed down by Judge Randy Williams was five years shy of the maximum.

The Indiana Court of Appeals on Monday upheld the conviction and Knoy's subsequent sentence.

"In this case, the evidence showed that Knoy stabbed Liphard in the upper right abdomen with such force that the knife blade broke off in Liphard's body," Judge L. Mark Bailey wrote.

"Knoy then used a baseball bat to strike Liphard's head at least 10 times. ... the extreme and protracted nature of the conduct is such that Knoy could not have been without an awareness that his conduct could result in Liphard's death."

The beating took place at Knoy's home at 2312 N. 19th St. in Lafayette. The childhood best friends and Harrison High School graduates had spent the day drinking beer and whiskey, according to court documents and trial testimony.

Knoy testified that the two men were shadowboxing when Liphard slapped him, and insults were exchanged.

Knoy's court-appointed attorneys had argued that Knoy was provoked by Liphard and acted in "sudden heat," which would make the crime a lesser charge of voluntary manslaughter.

On appeal, Knoy argued that the judge erred by refusing to let jurors hear arguments on whether the crime was a lesser included charge of reckless homicide.

Reckless homicide, which carries an even lighter sentence than voluntary manslaughter, means that the killing was done without intent.

The appellate court agreed with Williams because of the severity of Liphard's beating -- calling it a senseless crime of "sheer savagery."

March 18, 2011: Lafayette Journal and Courier

Lafayette woman gets house arrest in stabbing case

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette woman won't serve time in prison for stabbing her boyfriend during a domestic dispute last summer.

Latoyia D. Fillmore, 24, pleaded guilty in January in Tippecanoe Superior Court 2 to criminal recklessness while armed with a deadly weapon, a Class D felony.

A more serious charge of battery by means of a deadly weapon was dropped.

Fillmore was sentenced Thursday to six months on community corrections -- recommended on house arrest -- followed by 10 months on supervised probation.

The charges stemmed from a fight between Fillmore and her boyfriend, Chris D. Burton, 19, on June 25 in the Claystone at the Crossing apartment complex off Indiana 25 West.

Burton was treated for a 1-centimeter cut to his left shoulder and a small scratch to his left hand.

According to court documents, Fillmore was angry because a woman had called her cell phone asking for Burton. After Burton allegedly struck her, she retrieved a 3-inch folding pocket knife from an upstairs bedroom and stabbed him as he was trying to leave the apartment.

Burton had been charged with misdemeanor battery in connection with the fight, but the charge was later dropped by the Tippecanoe County prosecutor's office.

March 18, 2011: Lafayette Journal and Courier

Teen faces additional child porn charges

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette teenager already charged in federal court with possession and distribution of child pornography faces eight more counts, the U.S. Attorney's Office for the Northern District of Indiana announced Thursday.

The charges against Anthony D. Thompson, 19, stem from an investigation that began last October by Immigration and Custom Enforcement's Office of Homeland Security, the Lafayette Police Department and the Tippecanoe County prosecutor's office.

According to court documents, an e-mail belonging to Thompson was flagged by the National Center for Missing and Exploited Children after photos were sent to a suspicious e-mail address.

The e-mail contained 36 images of young boys who were identified through previous investigations by law enforcement into child pornography distribution.

Thompson is suspected of trading photos via e-mail with various people.

Lafayette police searched Thompson's home and computer last November.

He allegedly told investigators that "in his opinion, it is OK for a child as young as 10 to consent to having sex with an adult."

The search of Thompson's user account on his family's computer turned up hundreds of images and some videos that contained suspected child pornography.

Thompson was originally charged last November. The added charges were reached this week by a federal grand jury.

March 18, 2011: Lafayette Journal and Courier

Lafayette man, 38, pleads guilty to sexual contact with teen

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man has admitted to having sexual contact with a 16-year-old girl in his care last year.

Brandon S. Page, 38, pleaded guilty Friday in Tippecanoe Circuit Court to child seduction and possession of marijuana, both Class D felonies. He also pleaded guilty to being a habitual substance offender, which is a sentencing enhancement.

Page will be sentenced at a later date.

Under his plea agreement with special prosecutor James Fleming, additional charges of child seduction, possession of a controlled substance and possession of paraphernalia could be dropped.

Fleming is the former elected prosecutor in Howard County. A special prosecutor was assigned because of a potential personal conflict of interest in the Tippecanoe County prosecutor's office.

According to court documents, Page was arrested Sept. 15 after the girl's mom caught Page in the 16-year-old's bed. Page was allegedly naked; the girl was wearing only a shirt. Page and the girl lived in the same household. The girl's mother called the Lafayette Police Department.

The drug charges stem from a bag of marijuana that one officer found, reportedly in Page's pocket. Later that day, another bag of marijuana and a bottle containing 25 alprazolam pills were found during a search of Page's truck.

Alprazolam is a prescription drug commonly used to treat anxiety disorders and panic attacks.

In Indiana, the age of sexual consent is 16. However, a person can be charged with child seduction if the victim is between the ages of 16 and 18 and the suspect is a caretaker or guardian.

March 17, 2011: Lafayette Journal and Courier

2 charged, suspected of meth-related offenses

By SOPHIA VORAVONG; svoravong@jconline.com

Two Tippecanoe County men face methamphetamine-related charges after Lafayette police officers on Monday trailed one of the suspects to multiple pharmacies.

Bradley M. Manfre, 35, of West Lafayette and Adam L. Smith, 21, of Lafayette were booked into the Tippecanoe County Jail early Tuesday.

The prosecutor's office on Wednesday requested and was granted a 72-hour hold that significantly increased their bond amount -- Manfre's being held in lieu of \$100,000 and Smith on \$50,000 -- so officers have more time to investigate.

Formal charges could be filed by Monday afternoon.

According to a probable cause affidavit filed Wednesday in Tippecanoe Superior Court 6, Smith is suspected of going into multiple pharmacies and purchasing medication containing pseudoephedrine.

Pseudoephedrine is a key ingredient used to make meth. Since 2005, Indiana has required customers to show photo identification to purchase any medication containing pseudoephedrine.

Sales records are kept for two years.

Officers then followed Smith to a Lafayette restaurant, where he parked next to and spoke with someone in a vehicle registered to Manfre.

Smith was pulled over after leaving the restaurant. He allegedly admitted to buying pseudoephedrine tablets in exchange for meth.

This information led police to search a room at Knights Inn off Indiana 26 East where Manfre was staying. Among

the items recovered in that room were lithium batteries, what appeared to be crushed pills and ammonia.

Manfre was arrested on suspicion of dealing meth and possession of meth. Smith was arrested on suspicion of possession of chemical reagents.

March 17, 2011: WLFI TV

Laf. man faces 10 child porn charges

LAFAYETTE, Ind. (WLFI) -

A Lafayette man faces 10 child pornography charges.

19-year-old Anthony Diangelo Thompson was charged with one count of distribution of child porn and another of possession of child pornography. After further investigation, Thompson faces another three counts of receipt of child pornography and five more counts of distribution of child pornography.

The U.S. Attorney's Office said all of the charges were filed after an investigation done by both the Lafayette Police Department and the U.S. Immigration and Customs Enforcement Office of Homeland Security.

Thompson's case will be prosecuted by an Assistant US Attorney.

March 16, 2011: WLFI TV

Charges filed in meth lab case Couple faces several felony charges

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A Lafayette man and woman are charged with several felonies, after being arrested Friday for allegedly manufacturing meth.

32-year-old Adam Blankenship and 25-year-old Melanie Jones were charged in Tippecanoe Circuit Court Wednesday. Blankenship faces seven felony charges, including dealing in methamphetamine, possession of meth, and maintaining a common nuisance. Jones has been charged with ten felonies, including additional charges for possessing Schedule III and Schedule IV drugs without a prescription.

According to court document, police were looking to serve an arrest warrant on Blankenship, when they saw the pair smoking meth through the window. When police rang the doorbell, Blankenship and Jones went to the back of the home, without intent to answer the door, the documents said.

Police then forced entry into the home and detained Jones and Blankenship. According to the documents, police found methamphetamine, marijuana, and prescription pills. They also discovered several of the precursors used to make methamphetamine.

According to court documents, Blankenship is considered a habitual substance offender, for having at least two prior drug convictions.

March 15, 2011: Lafayette Journal and Courier

Suspected meth lab busted; 2 arrested near Columbian Park

By SOPHIA VORAVONG; svoravong@jconline.com

A tip that someone was cooking methamphetamine in a home near Columbian Park led to the arrests early Sunday of two Lafayette men.

Donald E. Hytrek, 29, and Anthony D. Fisher, 34, were charged Monday in Tippecanoe Superior Court 1 with dealing in methamphetamine and information of an illegal drug lab.

Hytrek, the home's occupant, also was charged with two counts of neglect of a dependent -- representing his sons, ages 2 and 3 -- and maintaining a common nuisance.

All of the counts are felonies.

Lafayette police officers went to Hytrek's home at 722 Park Ave. about 12:10 a.m. Sunday and spotted Hytrek and Fisher through a side window. One of them was stirring a milky substance in a glass pan with a steel wire; the other was shaking a green soda bottle containing some type of liquid.

Both actions are part of the cooking process for meth.

When officers knocked on the door, the two men reportedly tried to flee through a back door.

Officers also indicated smelling a strong chemical odor and seeing a haze inside the home.

Once inside, officers found an open box of medication containing pseudoephedrine, a common ingredient used to make meth, along with several crushed pills, camping fuel and ammonium nitrate.

Hytrek's wife and two children were asleep in a back bedroom.

Hytrek was being held Monday night in the Tippecanoe County Jail on a \$31,000 surety bond. Fisher was being held on a \$25,000 surety bond.

March 13, 2011: Lafayette Journal and Courier

Police say 200-plus pounds of marijuana found in car

An Ohio man was arrested Saturday morning after he was pulled over by a Lafayette-area state trooper, who said more than 200 pounds of marijuana were in the vehicle.

About 11 a.m., Indiana State Police Trooper Ryan Winters of the Lafayette Post was patrolling Interstate 65 when he made a traffic stop near the 178-mile marker.

The driver was Duane Anthony Crocker, 27, of Cincinnati Ohio.

Crocker, who was driving a white 2011 Mitsubishi, was traveling southbound when the trooper pulled him over for a violation.

Crocker consented to allow his vehicle to be searched.

Upon searching, Winters found more than 200 pounds of marijuana packed in large bundles.

Crocker was arrested and incarcerated in the Tippecanoe County Jail for dealing marijuana over 10 pounds, a

Class C felony, and possession of marijuana over 30 grams, a Class D felony.

Other charges may be pending, and the investigation is continuing.

March 4, 2011: Lafayette Journal and Courier

Suspect admits to sex without disclosing he had STD

By SOPHIA VORAVONG; svoravong@jconline.com

A former Lafayette man accused of sexually assaulting a female acquaintance in September 2005 has admitted to a lesser count of not telling her that he has AIDS, HIV and Hepatitis B.

Oscar L. Harris Jr., 48, pleaded guilty Friday in Tippecanoe Superior Court 1 to failure to warn, a Class D felony if the nondisclosure is intentional. He's accused of being a "person at risk," engaged in "high-risk activity."

He had been charged with rape and criminal deviate conduct, both Class B felonies.

Harris faces six months to three years incarceration when he is sentenced March 25 by Judge Randy Williams. Williams will decide during that hearing whether to accept Harris' plea agreement with the Tippecanoe County prosecutor's office.

According to court documents, the woman was walking from her apartment on Lafayette's north end to a grocery store when she ran into Harris on Sept. 25, 2005.

They then went to Harris' apartment, where the woman alleges Harris forced intercourse and other sexual acts. The woman told investigators that she tried to push Harris away and verbally said, "No."

The two previously knew each other and had consensual sex.

Indiana requires carriers of sexually transmitted diseases to tell their sexual partners before engaging in high-risk sexual activity.

Testing of DNA samples led to charges filed in August 2010 against Harris. He was arrested that same week in Kansas.

The plea agreement leaves the length of Harris' sentence up to the judge.

March 3, 2011: Lafayette Journal and Courier

Charges filed in hit and run that killed Wea Ridge student

By SOPHIA VORAVONG; svoravong@jconline.com

The family of a Lafayette teenager who was struck and killed last Sunday by a hit-and-run driver on Indiana 25 West said they're not pleased the suspect has been charged with only a Class C felony.

Robert V. Kirts II, 42, was charged today in Tippecanoe Superior Court 1 with failure to stop after an accident resulting in death. The offense is punishable by two to eight years incarceration.

His 2002 black Jeep Liberty matched the description of a vehicle that hit 15-year-old Ebony Knight in front of

Casey's General Store, then fled the scene.

Kirts appeared for his initial hearing this afternoon before Magistrate Norris Wang at the Tippecanoe County Jail.

Knight's cousin, Kameka Millsap of Lafayette, was among four family members who attended that hearing. Millsap said the family believes that Kirts intentionally hit Knight, who was walking on the north shoulder of Indiana 25 with her 13-year-old cousin.

Millsap said Kirts should be charged with murder.

"They were walking off the road - they were nowhere in the street as they were walking," Millsap said. "They both turned around because they'd seen lights ... to see that the car was about to pass them. The car was driving slow.

"He came in their direction and sped up. ... He hit her so hard that she flew up in the air and ran over her again."

Officer Matt Devine of the Lafayette Police Department, one of the crash investigators, said this afternoon that none of the evidence indicates that the crash was intentional.

Tippecanoe County Prosecutor Pat Harrington said additional charges can be filed against Kirts if new evidence develops.

He is urging anyone who saw Kirts on Sunday night - before or after the crash - to contact Lafayette police, (765) 807-1200, or the anonymous WeTip hot line, (800) 782-7463.

March 1, 2011: WLFI TV

Man charged with molesting 5-year-old Documents: Man admitted to inappropriate touching

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A Lafayette man has been charged with two felonies for allegedly molesting a 5-year-old boy.

32-year-old Joshua L. Brown was charged with two counts of Child Molesting in Tippecanoe County Superior Court One Monday.

According to court documents, Brown allegedly fondled the boy's genitals and rear end.

The documents say Brown eventually admitted to touching the boy's privates inappropriately on one occasion.

February 28, 2011: WLFI TV

Woman charged with welfare fraud Allegedly lied about household income

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A Lafayette woman is accused of cheating the welfare system.

30-year-old Tracy Ann Cowger was charged with three felonies in the Tippecanoe County Circuit Court. Those charges include one count of welfare fraud and two counts of theft.

According to court documents, Cowger received more than \$25,000 in assistance from Food Stamps and Temporary Assistance for Needy Families between 2005 and 2009.

The documents said Cowger failed to tell the state that the father of her two children lived in her home and was gainfully employed.

February 26 , 2011: Lafayette Journal and Courier

Lawyer charged with sneaking phone to inmate

By SOPHIA VORAVONG; svoravong@jconline.com

A Lake County-based attorney is accused of providing a cell phone to a client-inmate at the Tippecanoe County Jail.

Shante P. Henry, 35, of Merrillville was charged Feb. 17 in Tippecanoe Superior Court 1 with conspiracy to commit trafficking with an inmate and two counts of trafficking with an inmate.

Henry represented the inmate in an armed robbery case last year.

Two of the three counts are felonies.

Henry was arrested this past Tuesday and released from the Tippecanoe County Jail the same day after posting a \$10,000 surety bond. The charges against her were unsealed Thursday.

A message left Friday at Henry's Crown Point-based law firm was not returned.

Henry represented Jarrod E. Rodriguez, 27, of Hammond and Edward D. Mercer, 28, of Gary during a bench trial last September in Tippecanoe Superior Court 2.

They were suspects in a robbery involving \$3,100 worth of "spinner" tire rims on July 1, 2009, during which several gunshots were fired in the parking lot of Subway at 3990 Indiana 38 E. No one was injured.

After a bench trial, Superior Court 2 Judge Thomas Busch found Rodriguez and Mercer guilty of armed robbery, intimidation and other felonies.

Henry is suspected of smuggling a cell phone and phone charger to Rodriguez, who currently is serving his 10-year Department of Correction sentence at the Tippecanoe County Jail.

Rodriguez's mother, Rachel M. Rodriguez, 50, faces the same charges as Henry. As of Friday, she had not been arrested, said Tippecanoe County Prosecutor Pat Harrington.

Rachel Rodriguez has addresses in both Hammond and Calumet City, Ill.

According to a probable cause affidavit, another jail inmate left a note for corrections officers on Nov. 28 indicating that Rodriguez had a cell phone and charger in their cell block.

The phone and charger were then found in Rodriguez's cell. The phone is registered to his brother, who is not an inmate.

Investigators traced the phone to Henry and Rodriguez's mother based on visitation records. Attorneys are allowed to meet with their clients face-to-face, whereas family and friends speak with inmates over video phones.

However, attorneys cannot take any electronic devices -- for instance, cell phones and recording devices -- without prior approval from jail commander Capt. Denise Saxton.

Phone records showed that the cell phone found in Rodriguez's cell "hit off" cell phone towers covering the jail beginning on Oct. 22. At the time, Rodriguez was waiting to be sentenced.

Nearly 500 inbound and outbound calls were made on the cell phone, along with 51 text messages.

His mother became a suspect after investigators reviewed the jail's internal phone system. Conversations between Rachel Rodriguez and her son included incriminating statements.

The girlfriend of Mercer, the second defendant, also faces criminal charges related to the robbery trial.

Sharnetta M. Barnes of Griffith is charged in Tippecanoe Superior Court 5 with obstruction of justice -- accused of pretending to be an employee in the prosecutor's office and contacting the victim's before the trial began.

Barnes, 23, is scheduled for trial in March.

Mercer is serving a 20-year prison sentence, which was double Rodriguez's punishment because of his violent criminal history.

February 26 , 2011: WLFI TV

Inmate's attorney charged with felony Allegedly trafficked phone charger into jail

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A Tippecanoe County inmate's mother and attorney have each been charged with a felony, for allegedly trafficking a cell phone charger into the jail.

According to court documents, Shante Patrice Henry and Rachel Maria Rodriguez were each charged Friday with a count of Conspiracy to Commit Trafficking with an Inmate.

The documents said Corrections Officers found a cell phone in inmate Jarrod Rodriguez's cell in November 2010.

An investigation found that his attorney, Shante Henry, had brought a charger into the jail for her client, after conspiring with his mother, Rachel Rodriguez.

February 25 , 2011: WLFI TV

Nick's shooting suspect in court Judge sets jury trial date

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - An Indianapolis man made his first appearance in a Tippecanoe County courtroom Friday morning for charges related to a shooting at a West Lafayette night club last December.

22-year-old Clarence Stephens appeared in the Magistrate Court. He's been charged with Criminal Recklessness

while armed with a deadly weapon, a felony; and a misdemeanor charge of False Informing.

The charges are for an incident at Nick's Night Club in December. According to police, Stephens fired shots into a crowd of people after his friend, 22-year-old Antwain Harrison, was shot in the neck.

Stephens' jury trial is now set for June.

February 25 , 2011: Lafayette Journal and Courier

Teen avoids adult charge in gunfire case at Earhart

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette teenager won't be tried as an adult for her alleged involvement in a confrontation that led to gunfire outside Earhart Elementary School in December

That's because the Tippecanoe County prosecutor's office dismissed its prior request to waive the 16-year-old from juvenile court, due to her lack of criminal history or rehabilitation services.

A hearing on that waiver was held Thursday morning in Tippecanoe Superior Court 3, the county's juvenile court. She's scheduled for another hearing next month.

The girl has been held in secure detention at a juvenile center since her arrest on Jan. 25.

According to court documents, the 16-year-old is the girlfriend of the suspected shooter, 19-year-old Stacey D. Thomas. Correspondence between the girl and her ex-boyfriend on the social networking site Facebook reportedly led to the confrontation.

Lafayette police said she was one of several teen-agers who were in the parking lot at Earhart Elementary the night of Dec. 13, when at least nine gunshots were fired.

No one was injured, but bullets struck the nearby Bradford Place Apartments off South Ninth Street and went through the driver's side door of a nearby vehicle, landing under a child's car seat.

Thomas is charged in Tippecanoe Superior Court 1 with nine felonies, including four counts each of attempted aggravated battery and attempted battery while armed with a deadly weapon.

He remains in Hendricks County Jail, where he turned himself in on Jan. 31, Lafayette police Detective Scott Galloway said

February 25 , 2011: Lafayette Journal and Courier

Teen opts out of plea deal in robberies

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette teenager opted to not accept a plea agreement from the Tippecanoe County prosecutor's office for his involvement in a string of beatings and robberies in September 2009.

Antwon L. Milsap, 18, had been scheduled to plead guilty Thursday afternoon in Tippecanoe Superior Court 1 but changed his mind, said his court-appointed attorney, Tim Broden.

Broden told Superior Court 1 Judge Randy Williams that Milsap also wants a different public defender. Williams scheduled a hearing on that request.

Milsap and his co-defendant, 21-year-old Brandon M. Winters of Lafayette, were accused of three crimes that

occurred in a roughly 24-hour period: two strong-arm robberies on Sept. 16, 2009, in Lafayette and West Lafayette and an attempted armed robbery on Sept. 17, 2009, in West Lafayette.

Victims were knocked down, punched and chased. Cell phones, wallets and other valuables were taken.

Milsap is charged with multiple felonies that include robbery resulting in serious bodily injury, theft and battery. He'll likely be given a new trial date.

Winters, who was shot in the face by a West Lafayette officer minutes after the Sept. 17 attempted robbery, pleaded guilty and was sentenced in January to 20 years in prison.

February 18 , 2011: Lafayette Journal and Courier

Charges filed in December shooting at WL nightclub

By SOPHIA VORAVONG; svoravong@jconline.com

Formal charges have been filed against an Indianapolis man accused of blindly firing two gunshots last December in the direction of a crowd of people standing outside a West Lafayette nightclub.

Clarence L. Stephens, 22, is charged in Tippecanoe Superior Court 2 with criminal recklessness while armed with a deadly weapon, a Class C felony, and false informing, a Class B misdemeanor.

He's scheduled to appear for an initial hearing on Feb. 25 before Magistrate Norris Wang.

Stephens is an acquaintance of 22-year-old Antwain D. Harrison, who was shot in the neck on Dec. 5 in the parking lot of Nick's Nightclub, 402 Brown St., in the West Lafayette Levee.

Harrison, also of Indianapolis, was recently taken off ventilators at an Indianapolis hospital, said Lt. Troy Harris, a detective with the West Lafayette Police Department.

But Harrison remains paralyzed from the neck down.

Harris said investigators were planning to meet and speak with Harrison -- for the first time since the shooting -- by the end of this week.

Stephens is not accused of shooting Harrison, but rather of shooting in retaliation afterward.

The two men were in West Lafayette on Dec. 4 and 5 to attend an event called the "Rated R Party" at Nick's. It was hosted by promoters from Indianapolis.

According to court documents, the party was shut down early because of several fights that broke out inside. West Lafayette police were also called about that time to help break up an active fight.

Dozens of people and at least one police officer were in the parking lot when four gunshots, followed by two more gunshots, rang out.

This led to a frantic commotion during which one officer found Stephens, Harrison and another man crouching behind a vehicle. Both Harrison and Stephens were armed.

According to a probable cause affidavit filed with the most recent charges, Stephens initially told investigators that he saw an armed man standing in front of Nick's and the muzzle flash of a gunshot.

However, evidence at the scene indicated that the person who shot Harrison was standing in another location,

away from Nick's.

Stephens then made incriminating statements, which included admitting that he fired his 9 mm handgun blindly toward the entrance of Nick's after Harrison was shot.

Only two gunshots were fired because Stephen's gun had jammed.

He did have a permit to carry his handgun, which was found in a vehicle that he rode in from Indianapolis to West Lafayette.

Stephens was arrested on Dec. 5, but he was released from the Tippecanoe County Jail three days later after posting a \$25,000 surety bond.

A home telephone listing could not be found Thursday to reach Stephens for comment. Tippecanoe County's online court database does not indicate whether he has obtained an attorney.

The person suspected of shooting Harrison -- 20-year-old Curtis Bacon of Indianapolis -- turned himself in on Dec. 15. He remained held on a \$100,000 surety bond Thursday in the Tippecanoe County Jail.

Bacon is charged in Tippecanoe Superior Court 1 with aggravated battery and battery, both felonies.

Harris said he does not anticipate any further arrests.

February 17 , 2011: Lafayette Journal and Courier

Mom sentenced for drunken crash that hurt daughter

By SOPHIA VORAVONG; svoravong@jconline.com

A Seymour woman who admitted that she was drunk when she caused a one-vehicle crash last summer that injured her 5-year-old daughter has avoided prison time.

Faye A. Grimes, 30, pleaded guilty in December in Tippecanoe Superior Court 2 to neglect of a dependent, a Class C felony, in connection to a July 31 wreck on U.S. 52 near County Road 500 West in West Lafayette.

She also pleaded guilty to a Class A misdemeanor count of operating a vehicle with a blood-alcohol content of 0.15 percent or higher.

Grimes was sentenced Thursday to 56 days in prison.

But that was negated by a combined 56 days credit for time already served and for good behavior.

She was further ordered to spend two years and 309 days on probation.

According to court documents, Grimes had a blood-alcohol content of 0.18 percent after the wreck. That is more than double Indiana's legal limit of 0.08 percent to drive.

Grimes admitted consuming a quarter-pint of vodka while driving from Seymour -- an hour south of Indianapolis -- to her father's home in Otterbein.

A Tippecanoe County sheriff's deputy also found a near-empty bottle of whiskey in the front passenger seat.

Grimes' daughter suffered two black eyes and a bump on her forehead in the wreck.

Tippecanoe County Deputy Prosecutor Elizabeth Goodrich said the girl was placed in foster care afterward and that she remained in foster care as of Thursday.

Under a plea agreement, Grimes is required to complete substance abuse and mental health treatment.

She has been at Seeds of Hope, an alcohol- and drug-treatment facility, since August.

February 15 , 2011 **Lafayette Journal and Courier**

2 fatal heroin overdoses raise alarm

By SOPHIA VORAVONG; svoravong@jconline.com

Two men died and one woman was hospitalized in three separate incidents this past weekend that drug investigators suspect were caused by a dangerous and potent batch of heroin being sold in Tippecanoe County.

Tippecanoe County Prosecutor Pat Harrington and the Tippecanoe County Drug Task Force are asking people with any information -- no matter how small, said Drug Task Force commander Lt. Pat Flannelly -- to come forward.

People who fear retribution from dealers or worry that they could be arrested for possession can provide information anonymously by calling the WeTip hot line.

"Given the way that heroin is trafficking, it's going to be a very difficult task without somebody helping us get this poison off the street," Harrington said Monday. "We believe there is an immediate danger on the street based upon the closeness of these three (overdoses).

"We want to warn those involved in this of that danger. ... Also, we're hoping those who know more about this will reach out to law enforcement so we can try to get this off the streets."

Family members and friends also can help by looking for some of the signs that someone is abusing heroin, said Jon Eager, a West Lafayette police detective and Drug Task Force investigator.

They include pale, clammy skin; ptosis, which is defined as drooping eyelids; and constricted, small eyes. Some users also may tell loved ones that they are taking morphine, rather than heroin, to avoid the stigma of being labeled a "junkie," Eager said.

Heroin is processed from morphine, which is a substance extracted from the seed pod of certain types of poppy plants. It can be sold as anything from a white powder to a black, sticky substance known as black tar heroin.

The suspected heroin overdoses this past weekend all occurred within 24 hours.

About 6:30 p.m. Saturday, Tippecanoe County sheriff's deputies were called to a home in the 2100 block of Kopf Lane, off Indiana 43 North.

Sheriff Tracy Brown said they suspect a 28-year-old man died from a heroin overdose, based upon evidence at the scene and statements from another person staying there.

Investigators are waiting on toxicology results, he said.

The next death was reported about 10:30 a.m. Sunday in the 100 block of South Third Street, near downtown, according to Lafayette police Capt. Bruce Biggs. He was a 31-year-old man.

That was followed by the hospitalization of a 19-year-old woman about 6:30 p.m. Sunday in West Lafayette.

Police Lt. Gary Sparger said officers were called to an apartment in the 200 block of South River Road for an overdose. After questioning her and another man living there, she admitted taking heroin.

Sparger said a small amount of heroin and syringes were recovered from the apartment.

The other tenant, 22-year-old Matthew L. Chandler, was arrested on suspicion of dealing a narcotic, possession of a controlled substance and two marijuana-related offenses.

Harrington said details from the West Lafayette incident prompted investigators from the three separate police agencies to look at all of the cases together.

Substances believed to be heroin were found at all three homes. They will be sent to the Indiana State Police laboratory in Lowell for further testing.

How the two men died has not yet been determined by the Tippecanoe County coroner's office. Results of toxicology tests typically take several weeks.

Deputy coroner Donna Avolt said heroin metabolizes in the body as morphine. That's one way to see whether heroin was involved.

Because heroin is a street drug, it is difficult to track its true growth in Tippecanoe County. One method that Harrington uses to monitor the drug's popularity is by the number of criminal charges.

For instance, in 2006, the Tippecanoe County prosecutor's office filed three heroin-related drug cases. That tripled to 10 in 2007, followed by a slight drop with 8 cases in 2008.

But numbers surged in 2009 to 31.

In 2010, 28 heroin-cases were filed. They include nine that were handled in federal court. Eager and Harrington said the slight drop was because Tippecanoe County's Drug Task Force worked with federal authorities last year to go after "big fish" distributors, rather than mid-level drug dealers.

The kind of heroin typically seen in Tippecanoe County is "cut" with another drug to water down its potency, such as over-the-counter Benadryl allergy medication or Dorman sleeping pills.

What's worrying investigators now is "hot load" heroin, which is a more potent form that can lead to an overdose. That's the kind of heroin they suspected was used by the three victims this past weekend.

"The body can't handle it," Harrington said.

Most of it comes here from Chicago, Indianapolis and Danville, Ill., Eager said. Heroin can be injected, snorted or smoked.

As such, concerned family members and friends also should watch out for small pieces of a straw or hollowed pen with powder residue, Eager said.

Added Flannelly, a Lafayette police lieutenant: "Sometimes it's disappointing that there are people who have information that can make a difference, but for whatever reason they're reluctant to provide that information.

"No tip can be too big or too small. It's all useful information."

Heroin is sold in small amounts, usually one-tenth of a gram for \$20 to \$35. The low cost, when compared with other hard drugs, could contribute to heroin's growing use here, Harrington said.

He also believes it's tied to gang activity.

"It's part of the cocktail of drugs that gangs like to sell -- heroin, coke, even meth," Harrington said.

Additional Facts

What you can do

Anyone with information on heroin being sold in Tippecanoe County and the suspected overdoses this past weekend is asked to call the Tippecanoe County Drug Task Force at (765) 775-5261.

Tips also can be left anonymously by calling the WeTip hot line at (800) 782-7463.

February 13 , 2011: Lafayette Journal and Courier

Sentencing reform debate heats up

By SOPHIA VORAVONG; svoravong@jconline.com

A proposal before the Indiana General Assembly that would help ease prison overcrowding could leave Tippecanoe County absorbing some of those costs, possibly to the tune of a quarter-million or more annually.

That's according to rough estimates recently put together by Tippecanoe County Commissioner Tom Murtaugh, who plans to write letters to Lafayette-area legislators about Senate Bill 561.

He wants legislators to study the financial impact on counties before they vote.

"The shortening of sentences for drug crimes is concerning in itself," Murtaugh said. "In addition to the public safety issue ... the impact on the county could be very significant."

The proposed legislation followed on the heels of a report, released in December, by the Council of State Governments Justice Center and Pew Center on the States. It found that Indiana's prison population grew 40 percent during the past decade -- three times faster than any neighboring state.

That study into Indiana's crime and corrections data was commissioned by Gov. Mitch Daniels and Supreme Court Chief Justice Randall Shepard, among others.

Senate Bill 561, which is up for committee review on Monday, would reduce the severity of some non-violent crimes.

For instance, it would make dealing cocaine or methamphetamine less than 10 grams a Class C felony, which is punishable by two to eight years incarceration. Currently, dealing more than 3 grams of cocaine or meth is a Class A felony, punishable by 20 to 50 years.

The proposed bill also would give judges more discretion to sentence non-violent offenders to county-supervised probation and community corrections programs.

Murtaugh based his estimated cost to the county on those diverted offenders.

He anticipates that at least four more probation officers would have to be hired, at a salary cost of \$140,000 to \$150,000, not including benefits.

Senate Bill 561 also mandates that community corrections offer substance abuse treatment programs, which will likely mean hiring a therapist or two with master's degrees, Murtaugh said.

That salary cost? An estimated \$150,000.

"When all is said and done, it's a quarter of a million of just basic numbers -- not benefits," Murtaugh said. "It seems to be that the legislation is trying to cut costs at the state level, at the Department of Correction level.

"But it seems to be simply passing it onto counties."

Counties, however, could apply for grants or earn incentives by keeping the number of offenders convicted of Class D felonies they send to prison below a certain baseline.

Review is necessary

Lafayette criminal defense attorney Earl McCoy can attest to why a review of Indiana's prison sentencing laws are necessary. He has a client who was convicted in Tippecanoe County of dealing cocaine at age 18 and sentenced to 35 years in prison.

The man, who now is almost 40, received little substance abuse treatment, McCoy said.

"There is really very little rehabilitation being formed," he said. "In fact, all we are doing is warehousing these individuals and putting them in a situation where they are socializing only with other criminals."

If Indiana and the community is truly concerned about helping non-violent offenders, McCoy said, the better option is to allow them to face their demons in an everyday setting.

"When you're dealing with drug addicts, for example, (prison) does not prepare them to be interacting in society without those drugs," McCoy said. "My concern is that we need to make sure they are able to stay clean and sober while maintaining a job, paying bills and running their kids around.

"The real question is not whether they can stay off drugs while in the DOC. The real question is, can they stay off drugs when on the street, when drugs are readily available?"

Tippecanoe County Prosecutor Pat Harrington agrees that Indiana needs to review its sentencing rules. But he is a staunch opponent to many aspects of Senate Bill 561.

He was among 32 elected prosecutors who attended a committee hearing on the proposed legislation last Tuesday.

To Harrington, the bill benefits drug dealers. He pointed out that 10 grams of cocaine or meth has a street value of \$1,000; 10 grams of heroin is about \$2,000.

"We're not talking about drug addicts here. We're not talking about marijuana," Harrington said. "We're talking about the heaviest drugs that are sold ... the most serious drugs."

Investigators in Tippecanoe County have long argued that many drug crimes and violent crimes are linked.

For instance, the shooting death of 21-year-old Kory D. Rogers of Lafayette in April 2010 is believed to have begun with a staged robbery over marijuana. Two people face charges in Rogers' death.

Also, a string of home invasions in spring 2010 was tied to a scheme by a group of men to oust other marijuana dealers, according to court testimony by the suspects. All but one of those men pleaded guilty.

Harrington said he further believes the Senate bill is designed to address prison overcrowding and crimes in Marion County, rather than the entire state.

The Pew Center report found that 25 percent of prison beds were occupied by people convicted of Class D felonies -- in 2010, 2,197 out of 8,013 were from Marion County.

By contrast, Tippecanoe County judges sent 101 people convicted of Class D felonies to prison last year.

"This is not a state of Indiana issue," Harrington said. "This is a Marion County issue."

According to the Legislative Services Agency's fiscal impact statement on Senate Bill 561, the legislation would save the DOC \$5.68 million in 2012. The DOC's 2010 general fund was \$691.6 million.

Contributing: The Indianapolis Star

February 12 , 2011: Lafayette Journal and Courier

Man gets 2 years in lethal stabbing

By SOPHIA VORAVONG, svoravong@jconline.com

A homeless man from Lafayette who stabbed an acquaintance last summer, causing near-fatal injuries, was sentenced Friday to two years in prison.

Richard M. Burke, 51, pleaded guilty in November in Tippecanoe Circuit Court to battery resulting in serious bodily injury, a Class C felony.

The victim, 36-year-old Michael Lee Moore of Lafayette, was stabbed in the chest with an 8-inch blade. The knife penetrated Moore's liver, and he could have "bled out" without immediate medical care, said Tippecanoe County Deputy Prosecutor Jason Biss.

The incident occurred on July 12 at Moore's apartment at 1301 Columbia St., following an afternoon of alcohol consumption.

According to court documents, Moore said Burke lunged at him for no reason. Burke, however, claimed that he was stabbed first by Moore and grabbed a kitchen knife in retaliation.

He then cut his own wrists and throat afterward because he "wanted to die with Moore."

During Friday's sentencing hearing, Burke's attorney, Tom O'Brien, said Burke has been diagnosed with depression and was actively seeking help at various providers in the community.

Burke told Judge Don Daniel that he had been taking the prescription painkiller Darvocet at the time and questioned whether the drug contributed to his unusual behavior and "suicidal thoughts."

Darvocet was withdrawn from the U.S. market last November at the request of the Food and Drug Administration, according to the FDA's website.

"I was doing so well, and this stuff happened. ... We both argued, and this is what happened," Burke said. "I just want to get back to normal, to be a human again."

Daniel ordered Burke to serve three years on probation after his release from prison.

February 10 , 2011: Lafayette Journal and Courier

Girl, 16, may face charges in shooting near school

By SOPHIA VORAVONG; svoravong@jconline.com

The Tippecanoe County prosecutor's office wants a 16-year-old girl to be tried as an adult for her alleged involvement in a confrontation that led to gunfire outside Earhart Elementary School in December.

No one was injured, but bullets struck the nearby Bradford Place Apartments off South Ninth Street and went through the driver's side door of a nearby vehicle, landing under a child's car seat.

The 16-year-old has been held in secure detention at a juvenile center since her arrest on Jan. 25.

A hearing on the prosecutor's waiver request is scheduled for Feb. 24 in Tippecanoe Superior Court 3, the county's juvenile court.

Detective Scott Galloway of the Lafayette Police Department said he was not able to comment on what crime she's suspected of committing, pending criminal charges.

According to court documents, the 16-year-old is the girlfriend of the suspected gunman, 19-year-old Stacey D. Thomas. Correspondence between the girl and her ex-boyfriend on the social networking site Facebook reportedly led to the confrontation.

The 16-year-old was one of several teenagers who were in the parking lot at Earhart the night of Dec. 13, when at least nine gunshots were fired, Galloway said.

Thomas is charged in Tippecanoe Superior Court 1 with nine felonies, including four counts each of attempted aggravated battery and attempted battery while armed with a deadly weapon. He remains in Hendricks County Jail, where he turned himself in on Jan. 31.

Thus far, only the 16-year-old and Thomas have been arrested.

February 5 , 2011: Lafayette Journal and Courier

Man gets 11 years for sex with baby sitter, 15

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man was sentenced Friday to 11 years in prison for having a sexual relationship with a 15-year-old girl who has been diagnosed as mildly mentally retarded.

It was one year shy of the maximum that Melvin J. Spencer, 41, faced after he pleaded guilty in December to two counts of sexual misconduct, one a Class B felony and the other a Class C felony.

The teenager used to baby-sit Spencer's two children, ages 3 and 7.

Judge Randy Williams of Tippecanoe Superior Court 1 ordered that Spencer's prison sentence be followed by three years on supervised probation.

Charges against him were filed in August, after a neighbor saw Spencer and the 15-year-old kissing outside.

According to court documents, the girl's case manager at Wabash Valley told investigators that the girl functions at the level of a fourth- or fifth-grader.

The girl admitted to investigators that the sexual acts included kissing, fondling and intercourse. This occurred at Spencer's home on Main Street and at a Lafayette hotel, where the girl stayed with Spencer and his children.

The length of Spencer's sentence was recommended by both his attorney, Chief Public Defender Amy Hutchison, and Deputy Prosecutor Elizabeth Goodrich.

The counts to which Spencer pleaded guilty carried a combined sentence of six to 28 years in prison. His plea agreement capped imprisonment at 12 years, with additional time that could be served on probation.

February 4, 2011: WLFI TV

Prosecutor: Lower sentences, more crime Disagrees with proposed bill in State Senate

Updated: Friday, 04 Feb 2011, 7:04 PM EST

Published : Friday, 04 Feb 2011, 5:53 PM EST

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - The Tippecanoe County Prosecutor is speaking out about proposed legislation that would reduce sentence times for drug offenders.

Prosecutor Pat Harrington said in its current draft, the Senate Bill would encourage drug activity, and make counties in central Indiana much more dangerous.

But one Lafayette attorney said the changes are necessary: "The reality of it is, if we don't do something to deal with these low-level offenders who aren't necessarily a threat to the communities that they live in, we're not going to be able to deal with the ones that are," said attorney Matthew Sandy.

Sandy's perspective on proposed legislation in a State Senate committee mirrors the ideas of our governor, in his State of the State address.

"We can be tougher on the worst offenders, and protect Hoosiers more securely, while saving a billion dollars the next few years," Daniels said last month.

The new bill may be the General Assembly's response to Daniels' request. The Senate Bill would encourage county judges to rely more on community corrections, probation and rehabilitation, versus prison time.

It's a potential change that Tippecanoe County Prosecutor Pat Harrington said would be ineffective and dangerous.

"They are going to increase their efforts to make even more money," Harrington said. "Because there's less punishment for it."

"They" are local drug dealers. Harrington said the legislation would decriminalize dealing of cocaine, heroin and methamphetamine.

He said what would now receive a sentence of 20 to 50 years could later be limited by law to a maximum of eight years. He said you could compare it to a hypothetical problem keeping up with speeders.

"Let's just raise the speed limit. Say, if you speed 30 miles an hour over, don't worry about it. You can get probation. You can pay a dollar," Harrington said.

But Sandy said current state law is landing the wrong people behind bars.

"If a group of friends all want to go in together and one knows somebody from back home, and he goes home

and gets them for a party that's going to happen, he's a dealer," he said.

Sandy said going to prison can do more harm than good, when it comes to users who just got in over their heads.

Harrington has plans to testify before the Senate Judiciary Committee on Tuesday. He said he will recommend the Senate table the bill, and perform a comprehensive review of all state law to see where the safest places to save money would be.

February 2 , 2011: Lafayette Journal and Courier

Counts dropped for suspect in shooting

By SOPHIA VORAVONG; svoravong@jconline.com

Original charges of conspiracy to commit robbery, attempted robbery and three other offenses have been dropped against a Mooresville man in connection to the shooting death last year of Lafayette resident Kory D. Rogers.

That's because those allegations were part of 12 indictments -- among them, murder and felony murder -- that a Tippecanoe County grand jury returned in January against 31-year-old Edward C. Zaragoza.

Prosecutor Pat Harrington said a defendant can't have two sets of pending charges for the same incident.

Zaragoza was being held on the conspiracy to commit robbery charges since April 18, 2010, 10 days after Rogers was found dead in his home.

He still has pending, unrelated burglary charges, in addition to the new murder counts.

A second man, 28-year-old Jeremiah Thompson of Reelsville, also is charged with murder and felony murder in Rogers' death. Both suspects are being held in area jails without bond.

January 29 , 2011: Lafayette Journal and Courier

Spitting on cop costs man 5 years

By SOPHIA VORAVONG; svoravong@jconline.com

A Rossville man was sentenced Friday to five years in prison for spitting on a Lafayette police officer.

Steven E. Carson, 51, pleaded guilty in December in Tippecanoe Superior Court 1 to an amended count of battery by bodily waste, a Class D felony.

The original charge was a Class C felony because Carson has Hepatitis C.

He also admitted being a habitual offender, which is a sentencing enhancement.

The charges stemmed from Carson's arrest last July.

According to court documents, a police officer was called to Carson and 26th streets in Lafayette, where Carson was found sitting on a curb. He was swaying, and his speech was slurred.

Carson was then taken to a Lafayette hospital. As the officer was handcuffing Carson to his hospital bed, he spit

on the officer's bare left arm and left side.

This occurred shortly after Carson told the officer he got Hepatitis C from sharing needles when he used heroin and then tried to leave the hospital.

Under a plea agreement with the Tippecanoe County prosecutor's office, additional charges against Carson for misdemeanor counts of resisting law enforcement, public intoxication and disorderly conduct were dropped.

Carson also cannot appeal his sentence under the plea agreement.

Superior Court 1 Judge Randy Williams on Friday ordered Carson to serve a year on supervised probation after his release.

January 28, 2011: Lafayette Journal and Courier

Guilty plea entered in coke dealing case

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man who was scheduled to stand trial Tuesday on accusations that he sold cocaine on numerous occasions to a police informant has instead pleaded guilty.

Pio Avalos Jr., 30, pleaded guilty Thursday in Tippecanoe Superior Court 1 to one count of dealing cocaine, a Class A felony. He had been charged with four counts each of dealing cocaine and possession of cocaine.

Avalos will be sentenced Feb. 24 by Superior Court 1 Judge Randy Williams.

The charges stem from drug sales in August and September 2009 in Lafayette.

Avalos has been in the Tippecanoe County Jail on a \$250,000 surety bond since his arrest in July 2010, shortly after formal charges were filed.

According to court documents, Avalos is alleged to be a gang member.

During one of the drug sales, two children were seen with Avalos in his vehicle.

A Class A felony is typically punishable by 20 to 50 years incarceration.

January 26, 2011: WLFI TV

Police: Man fired shots at elementary December 2010 incident, police still seek Thomas

Updated: Wednesday, 26 Jan 2011, 1:51 PM EST

Published : Tuesday, 25 Jan 2011, 3:56 PM EST

- Erin Coduti

LAFAYETTE, Ind. (WLFI) - A man has been charged with several felonies for an incident that took place at a Lafayette elementary school one evening during December 2010.

Stacey Daniel Thomas, a 19-year-old, faces several felony charges of attempted battery and attempted

aggravated battery, as well as a felony charge for criminal recklessness.

Though the incident took place on the evening of December 13, 2010, this is the first that police have released information about what took place.

According to the Affidavit of Probable Cause, police were dispatched to Amelia Earhart Elementary at 8:17 p.m. regarding possible shots being fired. Police said witnesses told them they had seen two cars with their lights off in the elementary parking lot for a brief period before both vehicles took off at a high rate of speed.

Police also said witnesses told them they had seen Stacey Thomas take out a handgun and fired shots at other individuals.

According to the affidavit, police returned to the school the following day, December 14, and found spent shell casings on the south side of a sidewalk near the basketball court and baseball field. Some casings had been given to Principal Pat Miller by a student. Nine casings were found in total.

Police located four bullet impacts, according to the affidavit. The first bullet impact was found in the driver-side door of a vehicle parked at a nearby apartment. A bullet was located inside the vehicle, under a child's seat. The affidavit listed three additional possible bullet impacts, two on a nearby dumpster and one on an overhang to the entrance to two nearby apartments.

Police were able to interview several individuals who said they were present in the parking lot that night. According to the affidavit, police determined that Thomas was firing in the direction of an individual named Dorian Walls and several others.

According to the information in the affidavit, Walls indicated to police that the incident began when he received death threats via Facebook. Walls stated that he had previously dated a girl and that this upset Thomas. Walls said that he communicated through a friend that he wanted to meet Thomas to talk.

Lafayette Police are still looking for Thomas. They believe he might be in Indianapolis, but still has family and friends in Lafayette. Lafayette Police are working with Indianapolis Metro Police to locate Thomas.

If you have any information to the whereabouts of Stacey Daniel Thomas, contact Lafayette Police at 807-1200 or the WE TIP Hotline at 800-78-CRIME.

NewsChannel 18 will provide you with updates as more information becomes available.

January 26, 2011: WLFI TV

Murder suspect appears in court Faces decades of prison time

Updated: Wednesday, 26 Jan 2011, 10:22 AM EST

Published : Tuesday, 25 Jan 2011, 6:32 PM EST

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - One of two men suspected in the murder of Kory Rogers appeared before a magistrate Tuesday.

28-year-old Jeremiah Thompson was indicted for murder, robbery, theft and several other charges last week, by a Tippecanoe County Grand Jury.

Thompson appeared at the Magistrate Court in the county jail Tuesday afternoon. The magistrate informed him of his rights and the indictments against him, which stem from the April 2010 shooting and murder of 21-year-old Kory Rogers.

If convicted, Thompson could face up to 65 years for murder, and up to 50 years for the robbery.

January 25, 2011: Lafayette Journal and Courier

Charges filed in December gunfire near Earhart school

By SOPHIA VORAVONG; svoravong@jconline.com

Investigators are looking for a former Lafayette teenager suspected of firing multiple gunshots at a group of people during a confrontation in the parking lot at Earhart Elementary School in December.

No one was injured, but bullets struck the nearby Bradford Place Apartments off South Ninth Street and went through the driver's side door of a nearby vehicle, landing under a child's car seat.

The suspected gunman, Stacey D. Thomas, 19, was charged this month in Tippecanoe Superior Court 1 with four counts of attempted aggravated battery; four counts of attempted battery while armed with a deadly weapon; and one count of criminal recklessness.

All nine counts are felonies.

Thomas also was charged with carrying a handgun without a license, which is a misdemeanor.

Detective Scott Galloway of the Lafayette Police Department said Thomas has family in the Lafayette area and previously attended high school and worked in Tippecanoe County.

Galloway said he spoke on the phone briefly with Thomas, but Thomas did not want to be interviewed about the shooting.

He's believed to be in the Indianapolis area. Detectives here are working with investigators at the Indianapolis Metropolitan Police Department to locate him, Galloway said.

The charges against Thomas stem from gunshots that were fired the night of Dec. 13 in the parking lot at Earhart Elementary, 3280 S. Ninth St.

Witnesses reported seeing two vehicles speed away from the parking lot.

The next morning, an Earhart student found several shell casings outside and gave them to school officials.

An Earhart custodian also located shell casings in a pile of shoveled snow. Nine shell casings were found on school property.

The ammunition is believed to be from a 9 mm handgun.

According to a probable cause affidavit filed with Thomas' charges, investigators suspect that Thomas had gone to Earhart to fight another Lafayette teenager who previously dated Thomas' girlfriend.

Thomas allegedly was angry because his girlfriend and the other teenager, Dorian Walls, had been chatting on Facebook, a social networking website.

Both Walls and Thomas were accompanied by other teenagers at Earhart.

Walls admitted to investigators that he also brought a handgun to Earhart but left it in his vehicle. After gunshots were fired at him and his friends, Walls and another person reportedly went "out into the country" to shoot his

gun, but it jammed after firing properly once.

Walls' gun was recovered by detectives.

Galloway said a second person, a 16-year-old female high school student, was arrested Tuesday for her suspected involvement in the shooting at Earhart. She was taken to a detention center.

Her name has not been released.

Tippecanoe County Deputy Prosecutor Chuck Hagen said formal charges have not yet been filed against the girl. She's expected to appear before a Tippecanoe County juvenile court judge on Thursday.

The charges against Thomas come as the teenager is out on bond for charges related to a break-in at Hour Time restaurant at the Best Western on Indiana 26 East in Lafayette.

Thomas, who used to work at Hour Time, is accused in that case of stealing cases of steak and trying to resell the meat. He's scheduled for trial in April.

The Earhart incident was just two weeks after shots were fired Dec. 5 outside Nick's Nightclub in the West Lafayette Levee, seriously injuring an Indianapolis man. And on Jan. 15, another man fired shots outside the Economy Inn on Sagamore Parkway North in Lafayette.

Suspects have been arrested in those cases.

Additional Facts - What you can do

Anyone with information on the whereabouts of Stacey D. Thomas is asked to call Lafayette police at (765) 807-1200 or the anonymous WeTip hot line at (800) 782-7463.

Thomas is described as a light-skinned white male, about 5-foot-9 and 150 pounds. He has short, blond hair.

January 22, 2011: Lafayette Journal and Courier

2 indicted in Kory Rogers' death

By SOPHIA VORAVONG; svoravong@jconline.com

Two men indicted this week on charges of fatally shooting Kory D. Rogers at his south Lafayette home last April were after cash and marijuana, court documents allege.

A Tippecanoe Circuit Court grand jury -- the first convened in Tippecanoe County since 1995 -- returned indictments on Wednesday and Thursday against Edward C. Zaragoza, 31, of Mooresville and Jeremiah Thompson, 28, of Reelsville.

Their combined 22 indictments were unsealed Friday afternoon by Circuit Court Judge Don Daniel.

Zaragoza and Thompson were charged with felony murder; murder; conspiracy to commit burglary; conspiracy to commit robbery; conspiracy to commit theft; burglary; attempted robbery; attempted theft; and carrying a handgun without a license while having a prior felony conviction.

Zaragoza also was charged with two counts of possession of a handgun by a serious violent felon and being a habitual offender. He was being held without bond Friday night in the Tippecanoe County Jail.

Thompson was being held on a \$100,000 surety bond for an unrelated burglary that also involved Zaragoza.

That will likely be changed to no bond next week, when Thompson is expected to appear before Tippecanoe County Magistrate Norris Wang for an initial hearing on the murder charges.

According to Detective Dan Shumaker of the Lafayette Police Department, Thompson is a cousin of Zaragoza's wife.

Investigators met Friday afternoon with Rogers' family regarding the grand jury's decision, Shumaker said.

Attempts on Friday afternoon to reach Rogers' family were not successful.

Because the charges were decided by a grand jury -- rather than the Tippecanoe County prosecutor's office -- no supplemental probable cause affidavit was filed that details how Zaragoza and Thompson might be implicated in the alleged crimes.

Rogers, 21, was found dead from a gunshot wound on April 8, 2010, at his home in the 2200 block of Ottawa Drive near South 18th Street and Teal Road.

He was a student at Ivy Tech Community College and a Harrison High School graduate.

Ten days later, Zaragoza, who is originally from Lafayette, was charged with conspiring with two other men -- Clint J. Laxton of Lafayette and Wesley H. Coffey of Avondale, Ariz. -- to rob Rogers on April 5, 2010. That alleged scheme was not carried out that day.

Until this week, no one had been arrested or directly charged in Rogers' death.

Here's a summary of what investigators suspect took place, based on court documents from the case and the grand jury indictments:

Laxton and Zaragoza allegedly planned to go to Rogers' home on April 5, with Laxton pretending to be a hostage and Zaragoza holding a gun to his head.

They were reportedly after \$12,000 and two pounds of marijuana that Rogers allegedly had taken from a drug dealer in Lafayette last March 17.

The two had planned to meet at Marsh Supermarket on Teal Road -- located across the street from Rogers' neighborhood -- but Laxton never showed.

Coffey, who also is originally from the Lafayette area, was suspected of helping plan the robbery by telephone.

Investigators believe Zaragoza then recruited Thompson, and they drove to Lafayette on April 7 or 8.

The two are accused of breaking into Rogers' home through the garage and confronting Rogers. One of them was armed with a handgun, though the indictment does not specify which one.

According to discovery disclosures filed by Tippecanoe County deputy prosecutor Greg Loyd in Zaragoza's April 5 conspiracy case, Thompson is listed as a possible witness.

Evidence that the prosecutor's office might present in that case include a .40 caliber aluminum-casing handgun; a small caliber projectile; and cell phone records for Zaragoza, which could show times that he was in Lafayette.

Shumaker declined to comment on whether the grand jury investigation could result in criminal charges against other suspects. He referred that question to Prosecutor Pat Harrington.

Harrington said he is prohibited from commenting on grand jury proceedings and why one was convened in this case.

But in general, a grand jury is valuable in investigations because it can subpoena witnesses, documents and

records, Harrington said.

"They're part of the process," he said. "They ask questions ... whereas a trial jury is looking at evidence to determine whether a defendant is guilty beyond reasonable doubt."

Neither Laxton or Coffey was ever charged in the April 5 robbery plot. But they were charged in connection to business burglaries in August and September 2009, based on information that came from Rogers' homicide investigation.

Laxton, 19, pleaded guilty and, as part of his agreement, must testify against Zaragoza and Coffey. He was sentenced to community corrections and spared prison.

Charges are pending against Coffey, 34.

Zaragoza and Thompson also were charged last week in connection to a break-in at a West Lafayette supermarket based on recent information provided by Coffey.

If convicted, the murder charge against them is punishable by 45 to 65 years in prison. If convicted, Zaragoza could face up to an additional 30 years for the habitual offender allegation.

Several of the remaining charges are Class A felonies. Because Rogers' death was a violent crime, charges can be stacked and consecutively served.

Additional Facts

Grand jury county's first since 1995

The grand jury that returned murder indictments this week in the shooting death of Kory D. Rogers was first convened on Oct. 22 in Tippecanoe Circuit Court.

Judge Don Daniel selected six jurors and one alternate from a pool of 20 Tippecanoe County residents.

The grand jury has been meeting since the first week of November -- though not daily -- and finished on Thursday, Daniel said. They met about a dozen times.

Jurors were paid \$40 a day, which is Tippecanoe County's standard payment for jurors. In total, Circuit Court spent \$3,765.

"It made a hole in my budget having to pay the extra jury time," Daniel said.

The judge will have to go before the Tippecanoe County Council to request additional funding for this year.

Names of the people on the grand jury were sealed by Daniel because they essentially served as investigators, he said.

According to Journal & Courier archives, a Tippecanoe County grand jury was last convened in 1995 when a former part-time deputy prosecutor was accused of beating his girlfriend.

That grand jury returned a two-count indictment, but charges were dropped in 1996 when the deputy prosecutor and his girlfriend married.

Grand Jury indicts 2 for Rogers murder

Updated: Friday, 21 Jan 2011, 6:15 PM EST

Published : Friday, 21 Jan 2011, 3:36 PM EST

LAFAYETTE, Ind. (WLFI) - Two men have been indicted for murder by a Tippecanoe County grand jury.

31-year-old Edward Zaragoza and 28-year-old Jeremiah Thompson were both indicted on several felony charges today including murder, burglary, attempted robbery and attempted theft.

The charges were returned Wednesday and Thursday and released by the Tippecanoe County Prosecutor's Office today.

Court documents say the Grand Jury of Tippecanoe County have sufficient cause to determine Edward Zaragoza and-or Jeremiah Thompson killed Kory Rogers, while attempting to commit burglary or robbery.

The crime happened in April 2010 when Rogers was found dead of a gunshot wound inside a house at 2200 Ottawa Drive.

Zaragoza was charged in May for conspiracy to commit robbery against Rogers.

A probable cause affidavit for a separate burglary case says Thompson is Zaragoza's brother-in-law.

Rogers' murder was the first in Lafayette since 2008.

We are following this story and will bring you updates as we get more information.

January 20, 2011: Lafayette Journal and Courier

Teen sentenced, labeled sex offender for life

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette teenager who was charged as an adult for twice having sexual intercourse with an 11-year-old girl was sentenced Wednesday to six years in prison.

Cody R. Bowman, 17, pleaded guilty in November in Tippecanoe Superior Court 2 to child molesting as a Class B felony.

Because of the girl's age, Bowman was deemed an offender against children. That means he will have to register for life as a sex offender.

"I can't really take back what I've done," Bowman told Judge Thomas Busch during Wednesday's sentencing hearing.

"I want to try to start over in life Move on, continue -- make a better person of myself."

Bowman's prison time will be followed by three years on probation. One of those years will be spent on home detention through GPS monitoring.

Tippecanoe County Deputy Prosecutor Elizabeth Goodrich said the 11-year-old is the younger sister of one of Bowman's friends and that Bowman was well aware of her age.

The sexual contact took place last spring.

Goodrich had argued for a nine-year prison sentence, followed by three years probation.

Bowman was waived on Aug. 31 from juvenile jurisdiction by Tippecanoe Superior Court 3 Judge Loretta Rush and Magistrate Faith Graham. They cited his "repetitive pattern of delinquent acts," which included adjudications for criminal mischief and being a runaway.

He received counseling, medication management, house arrest and other services in juvenile court.

Bowman also previously claimed to be associated with Imperial Gangsters, Aryan Brotherhood, Latin Kings and other gangs, according to the waiver order.

At the request of Bowman's court-appointed attorney, Mike Trueblood, Busch entered Bowman's conviction as guilty but mentally ill. That means he will receive treatment for mental illness while in the Indiana Department of Correction.

Trueblood said afterward that he could not comment on Bowman's exact mental illness but that it was based on a report submitted to the court by psychologist Jeffrey Wendt.

Wendt further determined that Bowman's "emotional maturity is far less than his chronological age," Trueblood said.

Once released from prison, Bowman also must abide by residency restrictions that prevent him from living within 1,000 feet of a school, public park or youth program center.

He will have also to participate in sex offender counseling.

Under his plea agreement, an additional count of child molesting was dropped.

He was given a combined 350 days credit for time already spent incarcerated and for good behavior.

January 19, 2011: Lafayette Journal and Courier

3 arrested after alleged robbery in home

By SOPHIA VORAVONG; svoravong@jconline.com

Three Tippecanoe County men were arrested Sunday in connection with an alleged robbery involving a crowbar at a West Lafayette home.

No one was seriously injured.

Both Benjamin A. Pagano, 21, of West Lafayette and Nicholas L. Dutton, 22, of Lafayette were being held Tuesday in the Tippecanoe County Jail on suspicion of robbery. Their bond amounts were raised Tuesday from \$10,000 to \$25,000.

A third suspect, Brett Pattengale, 18, of Lafayette, also was arrested Sunday. He was released overnight Monday after posting a \$10,000 surety bond.

The prosecutor's office on Tuesday requested a 72-hour hold for Pagano and Dutton while formal charges are being considered.

Their arrests stem from a robbery that took place about 6 p.m. Sunday in the 1900 block of Danielle Lane, in the

Scharerdon Woods subdivision off Indiana 43 North.

According to a probable cause affidavit filed in Tippecanoe Superior Court 6, the victim -- a friend of Pagano's -- told sheriff's investigators that Pagano invited him to his mother's home to smoke marijuana.

The victim also went to repay \$10 that he borrowed from Pagano.

But after walking inside and taking out his wallet, which contained \$200 cash, two men carrying weapons ran downstairs and attacked the victim. One of them struck the victim in the hand with a crowbar.

Those men are believed to be Dutton and Pattengale.

The victim told investigators that Pagano grabbed the \$200 from the victim's hands as he tried to run away. The victim went to a nearby home for help.

Charges against Pagano and Dutton could be filed by Friday afternoon.

January 15, 2011: Lafayette Journal and Courier

Charges filed in West Lafayette market break-in

By SOPHIA VORAVONG; svoravong@jconline.com

Criminal charges continue to mount against a Mooresville man identified as a potential suspect in the unresolved shooting death of a Lafayette man.

Edward C. Zaragoza, 31, was charged this week in Tippecanoe Superior Court 1 with conspiracy to commit burglary, burglary and theft. All three counts are felonies.

He also was charged with being a habitual offender, which is a sentencing enhancement.

Zaragoza's brother-in-law, Jeremiah Thompson, 28, of Reelsville was charged with conspiracy to commit burglary, burglary and theft.

The charges stem from an overnight break-in on Aug. 8, 2009, at Hana Market, an Asian grocery store off U.S. 52 in West Lafayette. The suspects got away with \$500 cash.

According to a probable cause affidavit, the information came from Wesley H. Coffey, a former Lafayette man and friend of Zaragoza.

Coffey and Zaragoza are suspected of conspiring to rob homicide victim Kory D. Rogers, 21, on April 5, 2010, three days before Rogers was killed.

The prosecutor's office has previously said that Zaragoza is under investigation for Rogers death, although as of Friday he had not been charged.

Investigators spoke with Coffey Jan. 5, after receiving information that the men were possibly involved in a still-open burglary, said Detective Dan Shumaker of the Lafayette Police Department.

According to an affidavit, Coffey also was present during that burglary. He was not charged with Zaragoza and Thompson.

Thompson was being held Friday in the Tippecanoe County Jail on a \$100,000 surety bond.

Zaragoza was being held without bond for one case, though he has three additional \$250,000 surety bonds for other criminal cases.

January 15, 2011: Lafayette Journal and Courier

Man admits letting toddler wander

A Lafayette man has admitted that he neglected his 2-year-old daughter when the girl was found wandering outside alone and was almost struck by a truck.

Payton T. Jarrard, 25, pleaded guilty Friday in Tippecanoe Superior Court 1 to neglect of a dependent and possession of marijuana. Both counts are Class D felonies.

Jarrard will be sentenced on March 10.

His plea agreement with the Tippecanoe County prosecutor's office leaves the length of the sentence up to Superior Court 1 Judge Randy Williams.

A Class D felony carries a punishment of six months to three years incarceration.

According to court documents, the girl was found July 28 walking in the intersection at Ninth and Main streets in downtown Lafayette.

A semi driver -- after almost hitting the girl -- stopped, picked her up and called police. She was not able to say her name or where she lived.

Jarrard and his daughter lived in the 1100 block of Main Street. Lafayette officers who were searching the area went to Jarrard's building after spotting an open door.

He thought the girl was asleep.

The marijuana count stems from bags of marijuana and related items found in the apartment.

Under the plea agreement, Jarrard also will not be able to go to the food stamp office without advance permission from the office manager and only when accompanied by a pre-approved person.

The plea agreement does not explain why.

January 10, 2011: Lafayette Journal and Courier

Man charged for animal neglect Dog in his care turned up dead

Updated: Monday, 10 Jan 2011, 6:26 PM EST

Published : Monday, 10 Jan 2011, 5:46 PM EST

- Kristin Maiorano

LAFAYETTE, Ind. (WLFI) - A Lafayette man faces two charges of neglect of an animal, after a dog that he was allegedly planning to breed with one of his own turned up dead.

22-year-old Sergio Salazar was charged Monday in the Tippecanoe County Superior Court Five. The animal neglect charges are classified as Class A Misdemeanors.

According to court documents, Salazar met a man named Scott Drainsfield at an Indianapolis dog show, and they agreed to breed their dogs together.

Drainsfield told police he dropped his dog off at Salazar's home around December 23rd, and Salazar informed him on January 2nd that his dog was dead, due to a "freak" occurrence.

When police arrived the next day, they found the body of Drainsfield's dog in Salazar's garage, along with two other dogs who were surrounded by urine and feces and had no food or water.

January 8, 2011: Lafayette Journal and Courier

Suspect gets 20 years for robberies

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man who was shot in the face by a police officer in 2009 was sentenced Friday to 20 years in prison for attacking and mugging random people near Riehle Plaza.

Brandon M. Winters, 21, opted not to speak during the hearing before Judge Randy Williams of Tippecanoe Superior Court 1. He instead asked his court-appointed attorney, Patrick Manahan, to comment on his behalf.

Manahan said Winters accepts full responsibility for his actions. He also noted that Winters' contact with the criminal justice system began at age 11 and was due partly to a troubled upbringing.

"Brandon is, in fact, remorseful, even though he has not told you himself, judge," Manahan said. " ... He was forced to make decisions without adult supervision."

Winters pleaded guilty in November to robbery causing serious bodily injury, a Class B felony; attempted robbery, a Class C felony; and two counts of robbery, a Class C felony.

Those charges stem from three crimes that occurred during a roughly 24-hour period: two strong-arm robberies on Sept. 16, 2009, in Lafayette and West Lafayette and an attempted armed robbery on Sept. 17, 2009, in West Lafayette.

The victim in the Sept. 17 incident called 911, saying he was jumped by a man holding what appeared to be a silver gun. During his guilty plea hearing, Winters admitted to partially covering his face and making motions as though he were armed during the robbery.

Shortly after the 911 call, Winters was found hiding in bushes off Tapawingo Driver when he was shot by Officer David Smith of the West Lafayette Police Department. He was hospitalized for about two weeks for injuries to his face and neck.

Smith was cleared of any wrongdoing criminally and internally by his commanders.

Winters also pleaded guilty to possession of cocaine, a Class B felony, and to criminal recklessness, a Class C felony. The latter was in connection with a drive-by shooting on Feb. 22, 2009, in Lafayette.

During Friday's hearing, deputy prosecutor John Schafer called Winters a "danger to the community" with no regard to others.

"He is a scourge on this community, the likes of which I've never seen before ... and he did it because he thought it was fun," Schafer said. "This was not a young man who made a mistake."

Winters' plea agreement called for a 20-year prison sentence for the combined charges. Williams also ordered

Winters to serve 10 years on probation afterward.

A co-defendant, Antwon Milsap, 18, of Lafayette, is scheduled to stand trial in February on similar robbery charges.

January 8, 2011: Lafayette Journal and Courier

Former Purdue student sentenced for ID theft, fraud

By SOPHIA VORAVONG; svoravong@jconline.com

A former Purdue University student was sentenced Friday to one year in prison for an elaborate scheme to obtain credit cards and financial loans using personal information that was stolen from a West Lafayette apartment complex.

Adekanmi Adewola Arojoye, 22, of Dolton, Ill., pleaded guilty in November in Tippecanoe Circuit Court to fraud on a financial institution, a Class C felony, and identity theft, a Class D felony.

Ten of the 30 apartment tenants who had their personal information stolen reported finding fraud alerts on their credit reports, according to Sean Leshney, an investigator with the Tippecanoe County prosecutor's office.

Criminal charges against Arojoye were filed based on information provided to police by a co-defendant, Dejuan P. Garner, 25, of Homewood, Ill.

Garner pleaded guilty in November 2009 in Tippecanoe Superior Court 1 to theft, admitting that he broke into Campus Suite Apartments in November 2008 and stole files that included tenants' Social Security numbers and birth dates.

As part of his plea agreement, Garner was required to provide a "cleanup statement" detailing the crime. He was given a three-year prison sentence.

Campus Suite Apartments are located off U.S. 52 West and are marketed primarily toward Purdue students.

On Friday, Arojoye admitted in court that Garner came to him with the information because of people he knew - among them, his brother and other relatives -- who were versed in identity theft crimes.

"I was not supposed to get into this," Arojoye testified.

According to court documents and court testimony, the two men applied for numerous credit cards and loans and a credit card terminal in the victims' names through made-up businesses and e-mail addresses.

They used disposable cell phones and addresses for burned or abandoned homes to try to avoid getting caught.

Because the victims' placed fraud alerts on their accounts, most of Garner and Arojoye's efforts were not successful.

Judge Don Daniel also ordered Arojoye to serve three years on probation and complete 100 hours of community service.

January 8, 2011: Lafayette Journal and Courier

Contractor re-arrested after guilty plea

By SOPHIA VORAVONG; svoravong@jconline.com

A Lafayette man has admitted to committing home improvement fraud and never completing projects contracted

by five Tippecanoe County homeowners, despite being paid tens of thousands of dollars.

Raymond E. Luebcke, 57, pleaded guilty Friday in Tippecanoe Superior Court 1 to corrupt business influence, a Class C felony. That carries a sentencing range of two to eight years incarceration.

Under a plea agreement with the Tippecanoe County prosecutor's office, the length of Luebcke's sentence will be left up to Judge Randy Williams. But any time served will be on probation, which could include community corrections.

Williams will decide on Feb. 11, the date of Luebcke's sentencing hearing, whether to accept the plea.

Luebcke also would have to pay restitution to the victims.

The charges stem from an investigation by the Lafayette Police Department and Tippecanoe County Sheriff's Office for scams dating between July 2007 and December 2009.

At the time, Luebcke had a business called Lester and Luebcke Home Improvement.

According to court documents, all five victims had given Luebcke money representing about one-half of the cost of what he was supposed to complete. But Luebcke never followed through.

One of them gave Luebcke a combined \$32,000 for extensive work, including repairing or replacing siding, the roof and windows. Because nothing was completed, Tippecanoe County officials warned the homeowner that his house was not safe for living and could be demolished.

After Friday's hearing, Luebcke was arrested on a warrant issued from Fountain County, where he faces similar charges.

Luebcke was being held Friday night in the Fountain County Jail without bond.